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By Germaine Brenkert  
Germaine Brenkert

Dated: June 9, 2005

Patent

Atty. Docket: H58-042 US

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Kleeb et al.  
Serial No. : 10/527,733  
Filing Date : March 14, 2005  
For : PIPE CLIP

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

SUBMISSION OF INTERNATIONAL PRELIMINARY EXAMINATION REPORT

Sir:

Submitted herewith is a copy of the English translation of International Preliminary Examination Report for international application no. PCT/CH2003/000584, which is the corresponding PCT for the above-identified patent application.

Entry of the above is earnestly solicited.

Respectfully submitted,



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Dated: June 9, 2005

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From the INTERNATIONAL BUREAU

**PCT**

**NOTIFICATION OF TRANSMITTAL  
OF COPIES OF TRANSLATION  
OF THE INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT**

(PCT Rule 72.2)

To:

BRUDERER, Werner  
Oberhittnauerstrasse 12  
CH-8330 Pfäffikon  
SUISSE

Büro W. BRUDERER

E 27. MAI 2005

Frist:

Date of mailing ( <i>day/month/year</i> ) 26 May 2005 (26.05.2005)	<b>IMPORTANT NOTIFICATION</b>
Applicant's or agent's file reference P102WOPA	
International application No. PCT/CH2003/000584	International filing date ( <i>day/month/year</i> ) 28 August 2003 (28.08.2003)
Applicant PMA AG et al	

**1. Transmittal of the translation to the applicant.**

The International Bureau transmits herewith a copy of the English translation made by the International Bureau of the international preliminary examination report established by the International Preliminary Examining Authority.

**2. Transmittal of the copy of the translation to the elected Offices.**

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following elected Offices requiring such translation:

AZ, CA, CH, CN, CO, GH, KG, KP, KR, MK, MZ, RU, TM

The following elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

AE, AG, AL, AM, AP, AT, AU, BA, BB, BG, BR, BY, BZ, CR, CU, CZ, DE, DK, DM, DZ, EA, EC, EE, EP, ES, FI, GB, GD, GE, GM, HR, HU, ID, IL, IN, IS, JP, KE, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MN, MW, MX, NI, NO, NZ, OA, OM, PG, PH, PL, PT, RO, SC, SD, SE, SG, SK, SL, SY, TJ, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW

**3. Reminder regarding translation into (one of) the official language(s) of the elected Office(s).**

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report.

**It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.**

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland  Facsimile No. +41 22 740 14 35	Authorized officer  Yolaine Cussac  Facsimile No. +41 22 338 70 80
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Translation

PATENT COOPERATION TREATY

PCT/CH2003/000584



# PCT

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference P102WOPA	FOR FURTHER ACTION See Form PCT/IPEA/416	
International application No. PCT/CH2003/000584	International filing date (day/month/year) 28 August 2003 (28.08.2003)	Priority date (day/month/year) 25 September 2002 (25.09.2002)
International Patent Classification (IPC) or national classification and IPC F16L 3/22		
Applicant PMA AG et al.		

<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>5</u> sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input type="checkbox"/> (sent to the applicant and to the International Bureau) a total of _____ sheets, as follows:</p> <p><input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p>b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p>	
<p>4. This report contains indications relating to the following items:</p> <p><input checked="" type="checkbox"/> Box No. I Basis of the report</p> <p><input type="checkbox"/> Box No. II Priority</p> <p><input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p><input type="checkbox"/> Box No. IV Lack of unity of invention</p> <p><input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p><input type="checkbox"/> Box No. VI Certain documents cited</p> <p><input type="checkbox"/> Box No. VII Certain defects in the international application</p> <p><input type="checkbox"/> Box No. VIII Certain observations on the international application</p>	

Date of submission of the demand 12 March 2004 (12.03.2004)	Date of completion of this report 23 September 2004 (23.09.2004)
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/CH2003/000584

## Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

- ☐ This report is based on translations from the original language into the following language \_\_\_\_\_, which is language of a translation furnished for the purpose of:
- ☐ international search (under Rules 12.3 and 23.1(b))
- ☐ publication of the international application (under Rule 12.4)
- ☐ international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:

- ☒ The international application as originally filed/furnished

- ☒ the description:

pages \_\_\_\_\_ 1-8 \_\_\_\_\_, as originally filed/furnished

pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_

pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_

- ☒ the claims:

pages \_\_\_\_\_ 1-7 \_\_\_\_\_, as originally filed/furnished

pages\* \_\_\_\_\_, as amended (together with any statement) under Article 19

pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_

pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_

- ☒ the drawings:

pages \_\_\_\_\_ 1/2-2/2 \_\_\_\_\_, as originally filed/furnished

pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_

pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_

- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

☐ the description, pages \_\_\_\_\_

☐ the claims, Nos. \_\_\_\_\_

☐ the drawings, sheets/figs \_\_\_\_\_

☐ the sequence listing (*specify*): \_\_\_\_\_

☐ any table(s) related to sequence listing (*specify*): \_\_\_\_\_

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

☐ the description, pages \_\_\_\_\_

☐ the claims, Nos. \_\_\_\_\_

☐ the drawings, sheets/figs \_\_\_\_\_

☐ the sequence listing (*specify*): \_\_\_\_\_

☐ any table(s) related to sequence listing (*specify*): \_\_\_\_\_

\* If item 4 applies, some or all of those sheets may be marked "superseded."

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

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**V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement****1. Statement**

Novelty (N)	Claims	1-7	YES
	Claims		NO
Inventive step (IS)	Claims	1-7	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-7	YES
	Claims		NO

**2. Citations and explanations**

Reference is made to the following document:

D1: US 6 173 926 (Eilif Elvegaard), 16.01.2001

Document D1, which is considered to be the prior art closest to the subject matter of claim 1, discloses the following (the references in parentheses are to D1):

A pipe clamp comprising an upper part (2) and a lower part (3) which surround an opening for a pipe, the two parts being joined to each other on one side by a hinge (25) and having releasable locking elements on the other side, and the upper part and lower part having outward-facing and mutually parallel contact surfaces, with a through-hole (10-13) in at least one side of the pipe clamp to receive an additional connecting element for connecting the pipe clamp to the support element.

The subject matter of claim 1 differs from the known pipe clamp in that a bore hole which is accessible from the opening is provided in the lower part to receive a fastening means for fastening the pipe clamp to a support element.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

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The subject matter of claim 1 is therefore novel (PCT Article 33(2)).

The problem addressed by the present invention can therefore be seen as that of designing a stackable pipe clamp that is easily pre-fitted.

The solution proposed in claim 1 involves an inventive step (PCT Article 33(3)) because the idea of providing an additional bore hole which is accessible from the opening to allow pre-fitting of the pipe clamp is not obvious.

Claims 2 to 7 are dependent on claim 1 and therefore also meet the PCT requirements in respect of novelty and inventive step.